

★ Roll Call Number

14-1693

Agenda Item Number

10 A

DATE November 3, 2014

**ACCEPTING COMPLETED CONSTRUCTION AND APPROVING FINAL PAYMENT  
FOR 2013 ADA SIDEWALK RAMP PROGRAM - CONTRACT 2, TI-ZACK CONCRETE, INC.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached report of the Des Moines Interim City Engineer, showing the cost of the construction of the 2013 ADA Sidewalk Ramp Program - Contract 2, 09-2013-004, in accordance with the contract approved between Ti-Zack Concrete, Inc., Steve J. Rutt, President, 39352 221st Avenue, Le Center, MN 56057, under Roll Call No. 13-1443, of September 9, 2013, and the City of Des Moines, and recommending the acceptance thereof, be and the same is hereby approved, and accepted, and

BE IT FURTHER RESOLVED: That \$440,739.80 is the total cost, of which \$427,517.61 has been paid the Contractor, and \$0.00 is now due and is hereby approved as final partial payment for the above project, the remaining balance of \$13,222.19 is to be paid at the end of thirty days, with funds retained for unresolved claims on file in accordance with Iowa Code Chapter 573.

BE IT FURTHER RESOLVED: That the Interim Des Moines Finance Director be and is hereby authorized to release said retainage if suit is not filed as above provided.

Moved by Hensley to adopt.

FORM APPROVED:

FUNDS AVAILABLE

Kathleen Vanderpool  
Kathleen Vanderpool  
Deputy City Attorney

D. Ritter  
Daniel E. Ritter  
Interim Des Moines Finance Director

Funding Source: 2014-2015 CIP, Page Street - 28, Sidewalks - ADA Compliance, SW095, G. O. Bonds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin  
T. M. Franklin  
Mayor

Diane Rauh  
Diane Rauh  
City Clerk